IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	§	Art Unit: 2424
David B. Andersen et al.	§	
	§	Examiner: Son P. Huynh
Serial No.: 10/074,484	§	
	§	Conf. No.: 7314
Filed: February 11, 2002	§	
	§	Docket: ITL.2155US
For: Identification of Programming	§	P12916
Having Supplementary Content	§	
	§	Assignee: Intel Corporation

Mail Stop **Appeal Brief-Patents**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF AMENDED GROUNDS OF REJECTION
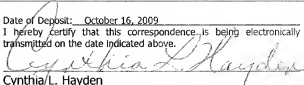### TO BE REVIEWED ON APPEAL AND AMENDED ARGUMENT

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed September 24, 2009 and pursuant to MPEP § 1205.03(B), attached hereto is an Amended Grounds of Rejection to be Reviewed on Appeal and an Amended Argument.

The Commissioner is authorized to charge any fee due to Deposit Account No. 20-1504 (ITL.2155US).

Respectfully submitted,

Date: October 16, 2009

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GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Whether claims 1, 4, 6-7, 17, 20, and 22-23 are unpatentable
    under 35 U.S.C. § 103(a) over Stautner in view of Farwell.

B. Whether claims 8-12, 14, 16, and 24 are unpatentable under 35 U.S.C. § 103(a)
    over Stautner in view of Farwell and further in view of Boyer.

ARGUMENT

**A. Are claims 1, 4, 6-7, 17, 20, and 22-23 unpatentable
under 35 U.S.C. § 103(a) over Stautner in view of Farwell?**

Claims 1 and 17 call for associating a second predefined unique symbol with a second type of supplementary content to indicate a two-screen interactivity mode.

In other words, one could always select an icon to get picture display. It has nothing whatsoever to do with supplementary content. Any kind of content can be displayed in the picture and picture mode. The claim requires associating a second predefined unique symbol with a second type of supplementary content. This is not done in the cited reference. The PIP symbol has nothing to do with supplementary content and only has to do with the original content and whether content is displayed in two images. Further, it is required that the predefined unique symbol is provided in association with a listing and a program schedule. This also does not happen.

Finally, Farwell has nothing to do with two-screen interactivity mode on the display. The two-screen static web mode is described in the present specification at the top of page 6, as involving two screens, a television screen and a computer display that are used to present the content in conjunction with the program. This does not happen in the cited reference. In the cited reference, he has a button to have a picture in picture, which normally means that you can watch two different channels. He does not have anything that indicates that the supplementary content needs two different devices to display it or can be displayed in connection with the current system.

Therefore, the cited reference does not meet the limitations of these claims.

**B. Are claims 8-12, 14, 16, and 24 unpatentable under 35 U.S.C. § 103(a)
over Stautner in view of Farwell and further in view of Boyer?**

Claim 14

Claim 14 calls for a second predefined unique symbol associated with a second listing. The second listing is a listing for a television program that has supplementary content. The cited reference to Farwell has nothing to do with a second listing for a television program that has

supplementary content. It has nothing to do with a TV guide and only to do with displaying television.

Claim 24

Likewise, reconsideration of the rejection of claim 24 is requested.

<center>*   *   *</center>

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.